

P2SSB 5313 (S-3068.4/19) - S COMM AMD

By Committee on Ways & Means

1 On page 4, after line 23, insert the following:

2 "Sec. 3. RCW 28A.400.200 and 2018 c 266 s 205 are each amended
3 to read as follows:

4 (1) Every school district board of directors shall fix, alter,
5 allow, and order paid salaries and compensation for all district
6 employees in conformance with this section.

7 (2) (a) Through the 2017-18 school year, salaries for certificated
8 instructional staff shall not be less than the salary provided in the
9 appropriations act in the statewide salary allocation schedule for an
10 employee with a baccalaureate degree and zero years of service;

11 (b) Salaries for certificated instructional staff with a master's
12 degree shall not be less than the salary provided in the
13 appropriations act in the statewide salary allocation schedule for an
14 employee with a master's degree and zero years of service; and

15 (c) Beginning with the 2018-19 school year:

16 (i) Salaries for full-time certificated instructional staff must
17 not be less than forty thousand dollars, to be adjusted for regional
18 differences in the cost of hiring staff as specified in RCW
19 28A.150.410, and to be adjusted annually by the same inflationary
20 measure as provided in RCW 28A.400.205;

21 (ii) Salaries for full-time certificated instructional staff with
22 at least five years of experience must exceed by at least ten percent
23 the value specified in (c) (i) of this subsection;

24 (iii) A district may not pay full-time certificated instructional
25 staff a salary that exceeds ninety thousand dollars, subject to
26 adjustment for regional differences in the cost of hiring staff as
27 specified in RCW 28A.150.410. This maximum salary is adjusted
28 annually by the inflationary measure in RCW 28A.400.205;

29 (iv) These minimum and maximum salaries apply to the services
30 provided as part of the state's statutory program of basic education
31 and exclude supplemental contracts for additional time,

1 responsibility, or incentive pursuant to this section or for
2 enrichment pursuant to RCW 28A.150.276;

3 (v) A district may pay a salary that exceeds this maximum salary
4 by up to ten percent for full-time certificated instructional staff:
5 Who are educational staff associates; who teach in the subjects of
6 science, technology, engineering, or math; or who teach in the
7 transitional bilingual instruction or special education programs.

8 (3) (a) (i) Through the 2017-18 school year the actual average
9 salary paid to certificated instructional staff shall not exceed the
10 district's average certificated instructional staff salary used for
11 the state basic education allocations for that school year as
12 determined pursuant to RCW 28A.150.410.

13 (ii) For the 2018-19 school year, salaries for certificated
14 instructional staff are subject to the limitations in RCW 41.59.800.

15 (iii) Beginning with the 2019-20 school year, for purposes of
16 subsection (4) of this section, RCW 28A.150.276, and 28A.505.100,
17 each school district must annually identify the actual salary paid to
18 each certificated instructional staff for services rendered as part
19 of the state's program of basic education.

20 (b) Through the 2018-19 school year, fringe benefit contributions
21 for certificated instructional staff shall be included as salary
22 under (a) (i) of this subsection only to the extent that the
23 district's actual average benefit contribution exceeds the amount of
24 the insurance benefits allocation, less the amount remitted by
25 districts to the health care authority for retiree subsidies,
26 provided per certificated instructional staff unit in the state
27 operating appropriations act in effect at the time the compensation
28 is payable. For purposes of this section, fringe benefits shall not
29 include payment for unused leave for illness or injury under RCW
30 28A.400.210; employer contributions for old age survivors insurance,
31 workers' compensation, unemployment compensation, and retirement
32 benefits under the Washington state retirement system; or employer
33 contributions for health benefits in excess of the insurance benefits
34 allocation provided per certificated instructional staff unit in the
35 state operating appropriations act in effect at the time the
36 compensation is payable. A school district may not use state funds to
37 provide employer contributions for such excess health benefits.

38 (c) Salary and benefits for certificated instructional staff in
39 programs other than basic education shall be consistent with the

1 salary and benefits paid to certificated instructional staff in the
2 basic education program.

3 (4) (a) Salaries and benefits for certificated instructional staff
4 may exceed the limitations in subsection (3) of this section only by
5 separate contract for additional time, for additional
6 responsibilities, or for incentives. Supplemental contracts shall not
7 cause the state to incur any present or future funding obligation.
8 Supplemental contracts must be accounted for by a school district
9 when the district is developing its four-year budget plan under RCW
10 28A.505.040.

11 (b) Supplemental contracts shall be subject to the collective
12 bargaining provisions of chapter 41.59 RCW and the provisions of RCW
13 28A.405.240, shall not exceed one year, and if not renewed shall not
14 constitute adverse change in accordance with RCW 28A.405.300 through
15 28A.405.380. No district may enter into a supplemental contract under
16 this subsection for the provision of services which are a part of the
17 basic education program required by Article IX, section 1 of the
18 state Constitution and RCW 28A.150.220.

19 (c) (i) Beginning September 1, 2019, supplemental contracts for
20 certificated instructional staff are subject to the following
21 additional restrictions:

22 (A) School districts may enter into supplemental contracts only
23 for enrichment activities as defined in and subject to the
24 limitations of RCW 28A.150.276;

25 (B) Until September 1, 2022, the average supplemental contract
26 provided by a district may be no higher than the average supplemental
27 contract from the previous year reduced by the annual salary
28 inflationary increase provided under RCW 28A.400.205;

29 (C) Beginning September 1, 2022, the average supplemental
30 contract given by a district must be for no more than three percent
31 of the average salary in the district provided as part of the state's
32 statutory program of basic education.

33 (ii) For a supplemental contract, or portion of a supplemental
34 contract, that is time-based, the hourly rate the district pays may
35 not exceed the hourly rate provided to that same instructional staff
36 for services under the basic education salary identified under
37 subsection (3) (a) (iii) of this section. For a supplemental contract,
38 or portion of a supplemental contract that is not time-based, the
39 contract must document the additional duties, responsibilities, or
40 incentives that are being funded in the contract.

1 (5) Employee benefit plans offered by any district shall comply
2 with RCW 28A.400.350, 28A.400.275, and 28A.400.280.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.59
4 RCW to read as follows:

5 A school district collective bargaining agreement that is
6 executed or modified after September 1, 2019, under this chapter may
7 not provide supplemental contracts in excess of the amounts permitted
8 under RCW 28A.400.200(4) (c).

9 NEW SECTION. **Sec. 5.** Sections 1 and 2, chapter . . ., Laws of
10 2019 (sections 1 and 2 of this act) take effect only if sections 3
11 and 4, chapter . . ., Laws of 2019 (sections 3 and 4 of this act) are
12 enacted by August 1, 2019."

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13 On page 1, line 1 of the title, after "Relating to" strike the
14 remainder of the title and insert "K-12 education; amending RCW
15 28A.500.015, 84.52.0531, and 28A.400.200; adding a new section to
16 chapter 41.59 RCW; and providing a contingent effective date."

EFFECT: Provides that, until September 1, 2022, supplemental
contracts for teacher salaries may be no higher than the average
supplemental contract from the previous year and thereafter limits
supplemental contracts to no more than 3 percent of the average basic
education salary in the districts. Provides that if the provisions of
the bill related to supplemental contracts do not go in to effect the
remainder of the sections do not take effect.

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